(*d*) prescribing, in the case of hereditary village-officers, the order of succession, the authority by whom the right of succession shall from time to time be determined, the conditions under which the right of personal service will be admitted, and when and by whom a deputy may be appointed to officiate;

(*e*) determining the circumstances under which any hereditary office may be forfeited or resumed; and

(*f*) generally for carrying out the provisions of this Act.

BOMBAY ACT No. V OF 1881.

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 14th November, 1881.*)

An act to amend the law relating to Tolls on Roads and Bridges in the Presidency of Bombay.

[NOTE.—The amendments made by this Act are incorporated in Bom. Act III of 1875 as printed on pp. 215 *et seq.* of Vol. II of this Code.]

BOMBAY ACT No. II OF 1882.

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 29th March, 1882.*)

An Act to amend Bombay Act II of 1874.

WHEREAS it is expedient to abolish the fund called "The Civil Jail Fund" and to provide for the disposal of subsistence-money remaining in hand on the death or release of prisoners in the civil jail, and for this purpose to amend Bombay Act II of 1874; It is enacted as follows:—

[NOTE.—The amendments made by this Act are incorporated in Bom. Act II of 1874 as printed on pp. 185 *et seq.* of Vol. II of this Code.]

BOMBAY ACT No. III OF 1882.

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 29th March, 1882.*)

An Act to amend the Bombay and Karáchi Vaccination Acts.

[NOTE.—The amendment made by this Act is incorporated in Bom. Acts I of 1877 and IV of 1879, respectively, as printed on pp. 247 *et seq.* and 282 *et seq.* of Vol. II of this Code.]

Bom. I of 1877 and IV of 1879.

BOMBAY ACT No. IV OF 1882.

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 15th May, 1882.*)

An Act to amend Act XLVIII of 1860.

[NOTE.—The amendment made by this Act is incorporated in Act XLVIII of 1860 as printed on pp. 108 *et seq.* of Vol. I of this Code.]

BOMBAY ACT No. VII OF 1882.

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 18th November, 1882.*)

An Act to provide for the levy of fees for the use of Public Landing-places.

WHEREAS it is expedient to provide for the levy of fees for the use of public landing-places in certain ports in the Bombay Presidency; It is hereby enacted as follows:— Preamble.

1. This Act shall be called the Bombay Landing and Wharfage Fees Act, 1882. Short title.

2. [a] It shall extend to any ports [a] in the Presidency of Bombay to which the Governor in Council may from time to time, by notification in the Bombay Government Gazette and other local official Gazette, extend the Act. Local extent.

3. Bombay Act III of 1879 is hereby repealed, and all fees levied and every declaration, appointment or rule made under that Act shall be deemed to have been levied and made under this Act. Repeal of Bombay Act III of 1879.

4. In this Act the term "landing-place" includes a bandar, wharf, pier, jetty, hard and any place used for the landing, shipping, wharfage, cranage or storage of goods; "Landing-place" and "Commissioner" defined.

and the term "Commissioner" shall include [b] the Chief Customs-authority for the Presidency of Bombay.

[a-a] These words were substituted for the original words by Act XVI of 1895.

[b] Words repealed by Act XVI of 1895 are omitted.

BOMBAY ACT No. IV OF 1882.

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 15th May, 1882.*)

An Act to amend Act XLVIII of 1860.

[NOTE.—The amendment made by this Act is incorporated in Act XLVIII of 1860 as printed on pp. 108 *et seq.* of Vol. I of this Code.]

BOMBAY ACT No. VII OF 1882.

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 18th November, 1882.*)

An Act to provide for the levy of fees for the use of Public Landing-places.

WHEREAS it is expedient to provide for the levy of fees for the use of public landing-places in certain ports in the Bombay Presidency; It is hereby enacted as follows:— Preamble.

1. This Act shall be called the Bombay Landing and Wharfage Fees Act, 1882. Short title.

2. [a] It shall extend to any ports [a] in the Presidency of Bombay to which the Governor in Council may from time to time, by notification in the Bombay Government Gazette and other local official Gazette, extend the Act. Local extent.

3. Bombay Act III of 1879 is hereby repealed, and all fees levied and every declaration, appointment or rule made under that Act shall be deemed to have been levied and made under this Act. Repeal of Bombay Act III of 1879.

4. In this Act the term "landing-place" includes a bandar, wharf, pier, jetty, hard and any place used for the landing, shipping, wharfage, cranage or storage of goods; "Landing-place" and "Commissioner" defined.

and the term "Commissioner" shall include [b] the Chief Customs-authority for the Presidency of Bombay.

[a-a] These words were substituted for the original words by Act XVI of 1895.

[b] Words repealed by Act XVI of 1895 are omitted.

The Governor in Council to fix limits of bandars, etc., and the fees to be levied.

5. It shall be lawful for the Governor in Council from time to time, by notification in the Bombay Government Gazette and other local official Gazette,—

(*a*) to define the limits of any port to which this Act is made applicable when such limits have not been defined under the Indian Ports Act, 1889 [*]; X of 1889.

(*b*) to determine what are public landing-places to which the provisions of this Act shall apply;

(*c*) to determine the limits of any such landing-place;

(*d*) to withdraw this Act from any port in which it is for the time being in force;

(*e*) to fix the fees to be levied—

(1) for the landing, shipping, wharfage, cranage, storage or demurrage of goods at, and

(2) for permitting animals or vehicles to bring or remove goods to or from, or to ply for hire at, and

(3) for permitting vessels or boats to approach or lie alongside,

any such landing-place :

Provided that it shall be lawful for the Governor in Council at any time to exempt any goods, vessels, boat, animal or vehicle, either wholly or partially, from any fee to which the same may be liable under this section.

Powers and duties under this Act by whom to be exercised and performed.

6. The levy of fees under this Act shall be made, and all other powers and duties conferred and imposed by this Act or by any bye-laws made hereunder shall be exercised and performed, by such officers as the Governor in Council shall from time to time direct, or by such persons as he shall from time to time direct in this behalf.

Powers, privileges and liabilities of officers who collect fees.

7. The officers and persons whose duty it may be to levy fees under this Act shall have the same powers for collecting and enforcing payment of the same as are exercisable under the provisions of any law [b] for the time being in force in respect of duties of sea-customs by the Collector of Customs and his subordinates, and shall have the same privileges and be subject to the same liabilities in respect of anything done by them in collecting and enforcing payment of the said fees as the said Collector of Customs and his subordinates have, or are liable to, under the provisions of any such law. VIII of 1878.

[*] The reference to Act XII of 1875 is altered in accordance with Act X of 1889, s. 2. (For Act X of 1889 see the revised edition, as modified up to 1st June, 1894, published by the Legislative Department.)

The law [b] for the time being in force for the punishment of offences relating to the levy or payment of duties of sea-customs, and for the reward of informers, shall, as far as may be, apply to similar offences committed in respect of the said fees. Punishment of offenders.

8. Tables of the fees leviable under this Act shall be posted up in some conspicuous position at every landing-place at which such fees are leviable, in English and the Vernacular language of the district, province or territory in which the port is situate. Tables of fees to be posted up.

9. The Commissioner may, within the district, province or territory under his charge, and, in respect of any other port or ports to which the provisions of this Act may hereafter be extended, the Chief Customs-authority for the Presidency of Bombay may, with the previous sanction of Government, from time to time make, and from time to time alter or repeal, bye-laws not inconsistent with the provisions of this Act— Power to make bye-laws.

(*a*) regulating the use of every landing-place to which this Act applies;

(*b*) providing for the management of the traffic over, on or about and to and from, every such landing-place; and

(*c*) generally for the guidance of all persons in matters connected with the enforcement of this Act.

The bye-laws so made, and every alteration of the same and every order repealing the same or any portion thereof, shall be published in the Bombay Government Gazette and other local official Gazette.

10. The proceeds of all fees realized under this Act in any port to which this Act applies shall be applied in such port— Fees realized under this Act how to be applied.

(*a*) in payment of the expenses of the administration of this Act:

(*b*) in defraying the cost of acquiring or constructing new landing-places required for the convenience of the trade of such port;

(*c*) in maintaining and improving any existing landing-place and generally in the improvement of such port.

Accounts of all receipts and expenditure under this Act shall be published once in every year in the Bombay Government Gazette and other local official Gazette. Yearly accounts to be published.

11. [*Validation and Indemnity.*] *Repealed by Act XVI of 1895.*

[b] See the Sea Customs Act, 1878, a revised edition of which, as modified up to 1st July, 1891, has been published by the Legislative Department.

Grantee may use tramway carriages with flange-wheels.

8. The grantee may use on his tramways carriages with flange-wheels or wheels suitable only to run on a grooved rail, and subject to the provisions of this Act, and of the hereinbefore recited agreement, he shall have the exclusive use of his tramways for carriages with flange-wheels or other wheels suitable only to run on a grooved rail.

Grantee may fix and demand fares.

9. The grantee shall have power from time to time to fix the rates of fares for carrying passengers and goods in the said cars or carriages, and may demand and take the same for every passenger travelling upon any of his tramways, or for the carriage of goods by his tramways: Provided that the rate of fare for each person or parcel shall, for any distance not exceeding three miles, not exceed four annas, and for any greater distance shall not exceed the same proportion.

Printed list of fares, etc., to be placed in carriages.

10. A printed list in English, Arabic, Sindhi and Gujaráthi of all the fares and charges authorized by this Act to be taken, and a printed copy in the same languages of all bye-laws in force as hereinafter mentioned, shall be exhibited in a conspicuous place inside each of the cars or carriages used by the grantee upon any of his tramways.

Such list and printed copy as aforesaid shall be published in the Sindh Official Gazette at the expense of the grantee.

Fares how to be paid.

11. The fares and charges by this Act authorized shall be paid to such persons at such places, upon or near to the tramways, and in such manner and under such regulations as the grantee may, by notice to be annexed to the list of fares, from time to time appoint with the approval of the Municipality.

Powers to break up streets.

12. The grantee from time to time, for the purpose of constructing and maintaining any tramways under this Act or any part or parts thereof respectively, may open and break up the soil and pavement of the streets, roads or bridge, and therein lay sleepers and rails, and repair, alter or remove the same; and may, for the purposes aforesaid, do in and on such streets and bridges all other acts which he shall from time to time deem necessary for constructing and maintaining his tramways, subject to the following regulations:—

1st.—He shall give to the Municipality notice in writing of his intention to open or break up any such street, road or bridge, specifying the time at which he will begin to do so, and the portion of the road proposed to be opened or broken up. Such notice to be given at least three days before the commencement of the work, except in cases of emergency arising from